

NOTICE TO RESPONSIBLE PARTY UNDER THE COMPREHENSIVE ENVIRONMENTAL RESPONSE,  
COMPENSATIONS AND LIABILITY ACT OF 1980  
AND THE SUPERFUND AMENDMENTS AND REAUTHORIZATION ACT OF 1986

DATE OF ISSUANCE:  May 20, 2012	NAME & TITLE OF NOTICE RECIPIENT: Mr. Eduardo Rivera Cruz, Director Autoridad de Edificios Publicos
ADDRESSEE Centro de Gobierno Minillas Torre Norte Ave. Jose De Diego, Santurce San Juan, Puerto Rico	NAME OF RESPONSIBLE PARTY: Autoridad de Edificios Publicos (AEP)

The United States Environmental Protection Agency (EPA) hereby notifies you that you may be liable under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. '9601 et seq., (CERCLA) for the release and/or threatened release of pollutants, contaminations and/or hazardous substances as defined by CERCLA.

The release and/or threatened release noticed herein, discovered on May 14, 2012, is located at the North Tower, Avenida Jose De Diego in Santurce, San Juan, Puerto Rico 00907. The same consists of Asbestos Containing Material (ACM) in a friable form. The release of friable asbestos is due to an on-going office renovation in the 9<sup>th</sup> floor. The 17 floors building is showing asbestos fibers migration to several floors within as well. Due to the asbestos fibers migration, employees as well as visitors could potentially become impacted. The 9<sup>th</sup> floor was found unsecured on May 14, 2012 as well as during a consecutive inspection on May 16, 2012. EPA conducted screen sampling around different floors and locations on May 16, 2012 and as a result found that extensive contamination with friable asbestos exists. The asbestos could impact anyone directly adjacent to the facility building thus posing an immediate threat due to the asbestos inhalation hazard and among other things possible respiratory system damages, causing cancer and various other forms of respiratory diseases.

The EPA hereby requests that **immediately** you provide building access control and evacuate personnel to prevent the unauthorized entrance to the facility of employees and other type workers and by Friday, May 25, 2012, you report to the EPA, Region II, at the address and telephone number indicated below, those removal activities, in conformance with 42 U.S.C. '9601(23), which you have performed and/or those removal activities which you plan to perform immediately to prevent, correct, clean up, minimize or mitigate the above-described release and/or threatened release.

You are hereby notified that upon your failure to perform immediate and proper removal activities with regard to the above-described release and/or threatened release, EPA, pursuant to 42 U.S.C. '9604, may perform such removal activities, and EPA will hold you liable for all costs of removal and for damages for injury to, destruction of, or loss of natural resources, including the reasonable costs of assessing such injury, destruction, or loss, if you are determined to be a responsible party.

If you deny responsibility for the above-described release and/or threatened release, you are requested to immediately advise EPA at the address and telephone number indicated below of the specific basis for your denial of responsibility.

FOR THE REGIONAL ADMINISTRATOR EPA REGION II  NAME: <i>Eng. Angel C. Rodríguez</i>  TITLE: Federal On-Scene Coordinator	EPA ADDRESS AND TELEPHONE NUMBER:  U.S. EPA, Region II Enforcement and Superfund Branch City View Plaza 2, Suite 7000, 48 Rd. 165, Km. 1.2, Guaynabo, Puerto Rico 00968-8069 (800) 424-8802 (24-hour hotline)Afterhours (787) 977-5870 (Business Hours)EPA PuertoRico
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